



**SHREWSBURY CONSERVATION COMMISSION
SHREWSBURY, MASSACHUSETTS**

MINUTES

Regular Meeting: March 15, 2005 - 7:00 P.M.

Location: Selectmen's Hearing Room - Municipal Office Building

Present: John J. Ostrosky, Chairman
Robert P. Jacques, Vice-Chairman
Dorbert A. Thomas, Clerk
Patricia M. Banks
Kenneth F. Polito

Also Present: John D. Perreault, Town Engineer
Brad Stone, Agent

Mr. Ostrosky opened the meeting at 7:00 P.M.

1. Review and Approve Minutes

The Conservation Commission approved the Minutes of January 18, 2005 as submitted.

2. Signed bills.

3. Meetings and Hearings – 7:05 P.M.

285-1248 Continued – Public Hearing regarding the Notice of Intent filed by Sage Investors, Inc. for the construction of a commercial building and parking lot at 360 Hartford Turnpike

Attending the hearing was Eric Wilhelmson – the engineer from Hannigan Engineering.

Mr. Wilhelmson reviewed the issues from the last hearing on December 21, 2004:

- 1) the Mass. Highway driveway entrance;
- 2) changed driveway lay-out;
- 3) proposed two buildings.

Mr. Wilhelmson said they now have eliminated the two buildings, as there were concerns from the Commission about maximizing the site. He said sewer will be brought to the site. They are proposing to use one large detention basin.

Mr. Jacques asked why they are proposing extra fill. Mr. Wilhelmson said the fill will be used at the driveway and at some of the parking area.

Mr. Wilhelmson commented they have eliminated one building but has an area reserved for future building on that area.

The Commission expressed concern about the building being in front of the lot and not up towards back, and then there wouldn't have to be as much disturbance to the wetland. Mr. Wilhelmson said it's really from a marketing standpoint that they want the building up front where it is more visible from the road.

Mr. Wilhelmson said there will be no driveway behind the building; the parking is all up front.

Mr. Ostrosky officially closed the hearing.

285-1311 Continued – Public Hearing regarding the Notice of Intent filed by AvalonBay Communities, Inc. for the construction of a 251-unit rental apartment community with associated grading, drainage, parking, access road and other appurtenances at 870-890 Hartford Turnpike

Attending the hearing were Michael Roberts – Avalon; Dennis Lowry – Wetlands Ecologist from ENSR; and Attorney Steven Schwartz.

Mr. Lowry submitted a project plan update dated March 15, 2005. He reviewed the site conditions and reviewed the changes as listed in their letter dated March 15, 2005.

Mr. Jacques expressed concerns about what assurances they can provide for stabilization before moving into the next phase. Mr. Lawry said he can provide the report for environmental monitor showing status to various parts of the site.

Mrs. Thomas asked:

- 1) if there were plans for something permanent to mark the wetland area. Mr. Lowry said he doesn't see a lot of foot traffic in the area of the wetland. He commented that a fence would hamper wildlife movement.
- 2) Snow Removal? – Mr. Lowry didn't think it would get plowed into the wetland; it would be 30 to 50 feet away.

The Commission expressed satisfaction on the changes that had been made.

Mr. Stone expressed concern for the chain link fence at the southeast side of the property for wildlife impact. Mr. Roberts said one of the big concerns of the neighbors was having a privacy fence to block view of cars and then a chain link fence to stop walkers from coming through. Mr. Ostrosky commented the same wildlife impact concern would apply in this area. Mr. Roberts and Lowry both said there was no other acceptable resolution for this area.

Mr. Lowry said the deer have no trouble hopping a six-foot fence, but an eight-foot fence would be a problem. He also suggested putting a small hole in the fence at the bottom for smaller wildlife to go through. The Commission felt the fence was inappropriate in that area, but did suggest maybe fencing right at the parking area.

The Commission asked about sequencing. Attorney Schwartz thought it could be done through Engineering. He commented that the idea of a raised fence being proposed by Mr. Lowry would be a compromise. He said a detail can be submitted to Engineering.

Mr. Stone said he was comfortable with the fencing going to homes, but felt that phasing needs to be done by the Commission.

Mr. Lowry said he didn't think sequencing would work for this; he felt using an environmental monitor with periodic reports being sent to Engineering would be appropriate.

Mr. Ostrosky continued the hearing to April 19, 2005.

285-** Continued – Public Hearing regarding the Notice of Intent filed by Paul Venti for the demolition of an existing home and construction of a new home at 18 Ek Court**

Attending the hearing were Paul Venti – the homeowner, and Glenn Krevosky – the wetland specialist from EBT Environmental. Mr. Krevosky first commented that the access driveway to the in-law apartment wasn't shown.

Mr. Krevosky said the nearest point of this project is approximately 52-53 feet from the water.

Mr. Krevosky said there will be no trenching in the buffer area for sewer and water.

Mr. Ostrosky officially closed the hearing.

285-** Public Hearing regarding the Notice of Intent filed by Steve Greene for the construction of a single family dwelling at 16 Brook Street, Lot 2**

Mr. Krevosky said the nearest point of the house is 15 feet away from the wetland. He said nothing else had changed on this plan from the first.

Mr. Ostrosky officially closed the hearing.

285-** Public Hearing regarding the Abbreviated Notice of Resource Area Delineation filed by Worcester Business Development Corporation for the delineation of wetland resource areas at 0 Green Street and 140 Green Street**

285-** Public Hearing regarding the Notice of Intent filed by Brendon Properties Five Realty Trust for the construction of a Farmview Estates, a residential subdivision at Green Street and 558-560 South Street**

Attending the hearing were James Bernadino – the engineer from Thompson and Liston, Associates, Inc., and Charlie McGregor – Brendon Homes.

Mr. Bernadino said this proposal is for a 39 home lot subdivision, noting that the 40th lot is an existing house. He reviewed the wetland areas. He said there is Category 2A activities construction of roadway, detention basins, and mitigation for flood area. He said they are working with the Planning Board, and this flood area was a concern.

Mr. Bernadino explained the change of the pump station location, stating they have moved it to the intersection of South and the new roadway outside of wetland.

Mr. Bernadino said additional work is Category 1B activity.

Mr. Bernadino said they are connecting to public water and sewer.

Mr. Bernadino said there will be approximately 1,070 sq. ft. of temporary wetland alteration at A28 flag. He said they are proposing a 20-foot no-cut conservation easement. He said in areas where they cannot provide 20-feet, they are proposing landscape buffers.

Mr. Bernadino explained the cuts and fills, and noted that this has been discussed with the Engineering Department.

Mr. Stone said he wants to walk the site before the next meeting. He said he has some Stormwater Management changes to go over at that time. Mr. Bernadino said he is meeting with Mr. Denoncourt (Shrewsbury Town Planner/Engineer) and Mr. Perreault (Town Engineer) on Thursday a.m. and invited Mr. Stone to attend.

Mr. Bernadino reviewed the phasing.

Mr. Jacques expressed the following concerns:

- 1) the amount of cut and fill and stabilizing;
- 2) phasing plan.

Barbara Noeth, 556 South Street, stated the following:

- 1) commented that the letter to the Planning Board has been answered by Mr. Bernadino;
- 2) commented that some of her lot is at groundwater level;
- 3) expressed concern for flooding.

Mr. Bernadino explained the pump station operation to control odor.

Mr. McGregor explained the style of the pump station to keep it aesthetically pleasing for the project and the abutters.

Mr. Ostrosky continued the hearing to April 19, 2005.

4. New Business

a. Discussed/Signed Draft Orders of Conditions and Requests for Determination of Applicability

- 285-1248 360 Hartford Turnpike** – Mrs. Thomas abstained from the vote as she was not in attendance for the beginning hearings – The Commission voted to deny the NOI application
- 285-1311 780-890 Hartford Turnpike** - continued

4. New Business (Cont'd)

a. Discussed/Signed Draft Orders of Conditions and Requests for Determination of Applicability (Cont'd)

- 285-**** 18 Ek Court** – conditionally approved (Mr. Jacques and Mr. Polito abstained from the vote)
285-** 16 Brook Street, Lot 2** – The Commission voted 4 to 1 to deny the NOI application
285-** 0 & 140 Green Street** – continued
285-** Farmview Estates** – continued

5. Old Business

a. 285-996 Informal Discussion regarding wetlands restoration and a building addition at 73 Summer Street

Rick and Diane Nolli, 73 Summer Street, attended the hearing. Mr. Nolli said they want to construct an in-law addition on the property. He commented that there is a current violation for the wetland disturbance when putting in the driveway.

The Commission commented that it is a tight site and they would like to see the addition made smaller, placed differently, etc.

b. Discussed/Signed Certificates of Compliance

285-1306 8 Higgins Street

c. Discussed/Signed Extension Permits

285-766 Lot 2A Grafton Street
285-767 Lot 3A Grafton Street
285-768 Lot 4 Grafton Street

6. Correspondence

7. Miscellaneous

- a)** Mr. Perreault discussed with the Commission the contemplated budget reductions for FY 2006, as it will affect the Conservation Commission. He explained the two accounts where the Town Manager may propose changes. The Commission noted these possible changes.

Respectfully Submitted,

Annette W. Rebovich